

UNITED STATES DISTRICT COURT
Western District of Virginia
Office of the Clerk
210 Franklin Road, Suite 540
Roanoke, VA 24011-2208

Andrew Fields, III #04595-033
United States Penitentiary
P.O. Box 1002
Thomson, IL 61285

☒ Go to Next Page

Dear Sir / Madam:

In response to your recent submission to the Court, please read the marked sections for the relevant information.

☐ Copies are not free. Pursuant to U.S.C. 1914 and the fee schedule established by the Judicial Conference of the United States, photocopies of documents from the court's record are \$.50 per page. If you wish to obtain copies, you must prepay the copy fee. Please forward payment, the style of the case, and case number to the Office of the Clerk and the Court will mail them to you.

To receive your selected documents, you need to first pay \$ _____ for _____ pages.

☐ The forms/copies you requested are enclosed.

☐ We do not have forms regarding Motions such as Appointment of Counsel or Writ of Mandamus.

☐ We are unable to send you your requested form

because I do not know if it even exists. As an employee of the Court, I must also remain neutral, and thus, I am prohibited from performing legal research for anyone.

☐ You asked about the Freedom of Information Act. Neither the Freedom of Information Act (5 U.S.C. §552) nor the Privacy Act (5 U.S.C. §552a) applies to the Judiciary.

☐ If you believe that your constitutional rights have been violated, you may, at your sole discretion, file an action. I have enclosed a copy of the appropriate form for filing such action. You may make multiple copies of the form. Please fill out the form carefully and legibly and sign the forms as photocopied signatures are not acceptable. Please note, however, that providing you this form is not a determination by the Court that your claim(s) have any merit. The Court provides the form only as a courtesy. **Mail to: Clerk, U.S. District Court, 210 Franklin Road, Suite 540, Roanoke, VA 24011-2208.**

☐ Please be advised that neither the Local Rules nor the Standing Orders are available in a format to send to litigants, but they are available on the Court's website. www.vawd.uscourts.gov. They and the Federal Rules of Civil Procedure are also available from various legal research providers or at law libraries. Our standing order refers all non-dispositive matters in pro se prisoner actions to a United States Magistrate Judge and requires prisoner civil actions to be filed in the Roanoke Division for administrative

reasons only. However, the Court will inform you of the applicable Local Rule and Standing Orders upon receipt of any complaint or petition.

☐ No case number was noted on the document(s) sent to the Court, and I am unable to determine the case in this Court in which you wish to file this submission. If you intend to pursue a new action or file a motion in a pending or closed case, please indicate how and in which action you want the documents filed. If you intend to file in a different court, please mail it to that other court.

☐ The Court received a payment on your behalf, and it's returned to you as an enclosure to this letter because: ☐

☐ You do not presently owe money that the Court collects. ☐ The Court does not accept partial payment of the filing fee unless the Court granted you the opportunity to pay in installments, pursuant to 28 U.S.C. §1915 and even then, those payments would sent to the Court by the Trust Account Officer from the facility where you are housed.

☐ I am not permitted to provide the legal information you seek. The role of the Court is to adjudicate claims presented to the parties. The Court could not maintain its role as an unbiased arbiter of claims if it assisted either party. As an employee of the Court, I must also remain neutral.

☐ The court is authorized to adjudicate cases. The Court is not authorized to, and does not, investigate allegations of misconduct. Please contact the appropriate law enforcement, inspector general, or ombudsman with the jurisdiction to address your concerns.

☐ The Court does not have any record of the case/ data/ pleading/document you described.

☐ You asked about the status of your case. I cannot give an estimate on when an action will be taken in your case. You will receive a copy of any order and/or opinion as soon as the Court issues it.

☐ The address you requested is: _____

☐ Sending unrequested information to the Court with the hope that it will quicken consideration of your case is incorrect. The Court will review your case in turn.

☐ Please find your enclosed submission because it does not pertain to a pending action and the Court does not maintain a record of such correspondence.

☒ We are returning the proposed summons to you because they are not completely and accurately filled out. Please see the example summons page included to assist you with the required information. Once they are done correctly, you may return them and we will issue them with the court seal and return to you to serve upon the defendants.

Sincerely,
LAURA A. AUSTIN, Clerk of Court

By: Deputy Clerk

Date: 10/20/2022

DO NOT SEND IN SOCIAL SECURITY NUMBERS,
NAMES OF MINOR CHILDREN OR DATES OF BIRTHS.
WE RECOMMEND YOU MAKE A COPY OF
ANYTHING YOU SUBMIT FOR YOUR RECORDS

If you choose this Option for Service of Process, you need to fill in the blanks and send to the Clerk's Office. They will confirm required fields and then sign, date and return to you so that you may perform service.

AD 410 (Rev. 06/12) (02/17 WD-VA) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Western District of Virginia

YOUR NAME & INMATE NUMBER

Your Name with Inmate Number - Example
John Doe #1234567

DEFENDANT(S) NAME

Defendant's Name or if Multiple Defendants, write first
defendant's name and then "et al" - Example
Harold Clarke, et al
Defendant

CASE NUMBER

Civil Action No. Provided Case Number if Known
Example: 7:21-cv-12345

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

DEFENDANT(S) NAME & ADDRESS

Provide the Name and Address of the particular defendant to be served. If you are serving more than one defendant, you must complete a separate summons for each defendant to be served.

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — or 120 days for Social Security Cases filed pursuant to 42 USC 405(g) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Provide Your Name, Inmate Number and Address: Example:
John Doe #1234567
Red Onion State Prison
P.O. Box 1900
Pound, VA 24279

YOUR NAME & INFORMATION

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK WILL DATE WHEN WE
ISSUE AND RETURN TO YOU TO
SERVE ON DEFENDANT(S)

Date: Clerk will date when Issued

CLERK WILL SIGN WHEN WE
ISSUE AND RETURN TO YOU TO
SERVE ON DEFENDANT(S)

CLERK OF COURT

Clerk will Sign when Issued
Signature of Clerk or Deputy Clerk